



Governor

2010 Candidate Qualification Packet



Bernie Buescher
Colorado Secretary of State
Elections Division
1700 Broadway, Suite 270
Denver, Colorado 80290

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INTRODUCTION

The Secretary of State has prepared this summary to outline Colorado Governor candidate qualification requirements.

This document provides a general overview of candidate qualifications and should be used as a reference guide only. Always refer to the Colorado Constitution and Colorado Revised Statutes for applicable laws.

SUMMARY OF GENERAL REQUIREMENTS

TERM OF OFFICE: 4 yrs.

Colorado Constitution Article IV, Section 1

MINIMUM AGE REQUIREMENT: 30 yrs.

Colorado Constitution Article IV, Section 4

RESIDENCY REQUIREMENT:

Resident of the State at least 2 Years Prior to the Election

Colorado Constitution Article IV, Section 4

CITIZENSHIP: U.S. Citizen

Colorado Constitution Article IV, Section 4

ACCESS TO BALLOT:

Party Designation, Petition, Write-in

MAJOR PARTY DESIGNATION**ELIGIBILITY:**

To be eligible for designation by assembly, a person must be affiliated with the major political party holding the assembly for at least twelve (12) months before the assembly, as shown by the registration books of the county clerk and recorder, unless party rules state otherwise. [Section 1-4-601(4)(a), C.R.S.]

ASSEMBLY PROCESS:

Candidates for Colorado Governor may be designated during the party state assembly. No assembly can be held later than seventy (70) days before the primary election. Potential candidates should contact the major political party of their choice to determine the exact date and time of that specific assembly. The political party will be able to answer questions regarding party protocol for announcements, party campaign rules, and other matters of a political party nature. [Section 1-4-601(1), C.R.S.]

During the assembly, only duly accredited assembly delegates that are present may vote for candidates. A candidate needs at least thirty percent (30%) of the votes cast of all duly accredited assembly delegates to be placed on the primary election ballot. [Section 1-4-601(2), C.R.S.]

Should no candidate receive thirty percent (30%) or more of the votes cast, a second ballot must be cast. If on the second ballot, no candidate receives thirty percent (30%) or more of the votes cast, the two (2) candidates receiving the highest number of votes will be certified as candidates for that office by the assembly. [Section 1-4-601(2), C.R.S.]

FILING WITH THE SECRETARY OF STATE:

The original or facsimile copy of the certificate of designation must be filed with the Secretary of State no later than four (4) days after the adjournment of the assembly. If the designation is transmitted as a facsimile, the original must also be filed and postmarked no later than ten (10) days after the adjournment of the assembly. However, late filing of the certificate of designation will not deprive candidates of their candidacy. [Sections 1-4-604(3), (5), C.R.S.]

The original or facsimile copy of the candidate acceptance form must be filed with the Secretary of State no later than four (4) days after the adjournment of the assembly. If the acceptance is transmitted as a facsimile, the original must also be filed and postmarked no later than ten (10) days after the adjournment of the assembly. If the acceptance form is not filed within the specified time, the candidate will be deemed to have declined the nomination. [Section 1-4-601(3)(a), C.R.S.]

The candidate acceptance form must state the candidate's name the way it will appear on the ballot. Candidate names cannot contain any title or degree designating the business or profession of the candidate. [Sections 1-4-601(3)(a) & 1-5-407(4), C.R.S.]

Party designation and candidate acceptance forms are provided by the political party at each assembly.

CANDIDATE AUDIO RECORDING:

Candidates are required to submit an audio recording of the pronunciation of their name to the Secretary of State no later than ten (10) days after the adjournment of the assembly. The audio recording must state the candidate's name exactly as it appears on the candidate acceptance form, as this is how the candidate's

name will appear on the ballot. [SOS Election Rule 10.4.1]

Instructions on how to complete the candidate audio recording will be provided in the candidate packet and on the Secretary of State's website.

MINOR PARTY DESIGNATION

ELIGIBILITY:

To be eligible for designation by assembly, a person must be affiliated with the minor political party holding the assembly for at least twelve (12) months before the assembly, as shown by the registration books of the county clerk and recorder, unless party rules state otherwise. [Sections 1-4-1304(2)(a), (b), C.R.S.]

Candidates who have been registered as a member of a major political party for at least twelve (12) months prior to the date of nomination are not eligible, unless party rules state otherwise. [Section 1-4-1304(2)(c), C.R.S.]

ASSEMBLY PROCESS:

Candidates for Colorado Governor may be designated by assembly for the general election. No assembly can be held later than sixty-five (65) days before the primary election. Potential candidates should contact the minor political party of their choice to determine the exact date and time of that specific assembly. The political party will be able to answer questions you may have regarding party protocol for announcements, party campaign rules, and other matters of a political party nature. [Section 1-4-1304(1.5)(b)(I), C.R.S.]

During the assembly, only duly accredited assembly delegates that are present may vote for candidates. A candidate needs at least thirty percent (30%) of the votes cast of all duly accredited assembly delegates present and

voting on that specific office. [Section 1-4-1304(1.5)(b)(II), C.R.S.]

If the assembly designates more than one (1) candidate for an office or if the assembly designates one (1) or more candidates and one (1) or more candidates qualifies by petition, the candidate will be nominated at the primary election. If only one (1) candidate is designated for an office by petition or assembly, the candidate will be the candidate of the minor political party in the general election. [Sections 1-4-1304(1.5)(c), (d), C.R.S.]

FILING WITH THE SECRETARY OF STATE:

The certificate of designation must be filed with the Secretary of State no later than four (4) days after the adjournment of the assembly. [Section 1-4-1304(3), C.R.S.]

The original or facsimile copy of the candidate acceptance form must be postmarked or received by the Secretary of State no later than four (4) business days after the certificate of designation was filed. If the acceptance form is transmitted as a facsimile, the original must also be filed and postmarked no later than ten (10) days after the certificate of designation was filed. If the acceptance form is not filed within the specified time, the candidate will be deemed to have declined the nomination. [Section 1-4-1304(4), C.R.S.]

The candidate acceptance form must state the candidate's name the way it will appear on the ballot. Candidate names cannot contain any title or degree designating the business or profession of the candidate. [Section 1-5-407(4), C.R.S.]

Party designation and candidate acceptance forms are provided by the political party at each assembly.

CANDIDATE AUDIO RECORDING:

Candidates are required to submit an audio recording of the pronunciation of their name to the Secretary of State no later than ten (10) days after the certificate of designation was filed. The audio recording must state the candidate's name exactly as it appears on the candidate acceptance form, as this is how the candidate's name will appear on the ballot. [SOS Election Rule 10.4.1]

Instructions on how to complete the candidate audio recording will be provided in the candidate packet and on the Secretary of State's website.

MAJOR PARTY CANDIDATE PETITION**ELIGIBILITY:**

A candidate must have been affiliated with the political party for at least twelve (12) months prior to the date of filing the petition, as shown by the registration books of the county clerk and recorder. [Section 1-4-801(3), C.R.S.]

A candidate that failed to receive ten percent (10%) of the votes cast for a particular office at the party assembly is not eligible to run by petition on behalf of the same political party and office. [Section 1-4-801(4), C.R.S.]

PETITION PROCESS:

Party petitions cannot be circulated nor signatures obtained any time prior to the last Monday in March. [Section 1-4-801(5), C.R.S.]

All petition formats must be approved by the Secretary of State prior to circulation and may only contain one (1) candidate's name for the same office. Once submitted, the Secretary of State will approve or disapprove each petition format no later than two days (2) following the submission. [Sections 1-4-903 & 1-4-901, C.R.S.]

Only eligible electors in the district or political subdivision may sign the petition for which the candidate is to be elected. Each signer of the petition must be affiliated with the political party named in the petition for at least twenty-nine (29) days prior to signing the petition, as shown by the registration books of the county clerk and recorder. [Sections 1-4-904(2)(a) & 1-4-801(2)(b), C.R.S.]

In order to qualify, a petition must contain at least one thousand five hundred (1,500) signatures from each congressional district. [1-4-801(2)(c)(II), C.R.S.]

In order to be eligible to circulate a petition, a person must be a resident of the state, a citizen of the United States, at least eighteen (18) years of age, and registered to vote and affiliated with the political party mentioned in the petition at the time the petition is circulated, as shown by the registration books of the county clerk and recorder. [Section 1-4-905(1), C.R.S.]

FILING WITH THE SECRETARY OF STATE:

Petitions must be filed with the Secretary of State no later than seventy-five (75) days before the primary election. [Section 1-4-801(5), C.R.S.]

Before a nomination petition may be filed, it must have a notarized candidate acceptance of nomination form attached to it. [Section 1-4-906, C.R.S.]

The candidate acceptance form must state the candidate's name the way it will appear on the ballot. Candidate names cannot contain any title or degree designating the business or profession of the candidate. [Sections 1-4-906 & 1-5-407(4), C.R.S.]

Petition signatures will be verified by the Secretary of State and if found to be sufficient in number will be deemed valid unless a protest is made in writing within five (5) days after the

statement of sufficiency is issued. [Sections 1-4-908 & 1-4-909(1), C.R.S.]

CANDIDATE AUDIO RECORDING:

Candidates are required to submit an audio recording of the pronunciation of their name to the Secretary of State no later than seventy-five (75) days before the primary election. The audio recording must state the candidate's name exactly as it appears on the candidate acceptance form, as this is how the candidate's name will appear on the ballot. [SOS Election Rule 10.4.2]

Instructions on how to complete the candidate audio recording will be provided in the candidate packet and on the Secretary of State's website.

MINOR PARTY CANDIDATE PETITION

ELIGIBILITY:

No person may be placed in nomination by petition unless the person is an eligible elector of the political subdivision or district in which the officer is to be elected. [Section 1-4-802(1)(g), C.R.S.]

A candidate must have been affiliated with the minor political party for at least twelve (12) months prior to the last date the petition may be filed, as shown by the registration books of the county clerk and recorder. [Section 1-4-802(1)(g), C.R.S.]

PETITION PROCESS:

The petition cannot be circulated nor signatures obtained any time prior to the last Monday in March. [Section 1-4-802(1)(d)(II), C.R.S.]

All petition formats must be approved by the Secretary of State prior to circulation and may only contain one (1) candidate's name for the same office. Once submitted, the Secretary of

State will approve or disapprove each petition format no later than two (2) days following the submission. [Sections 1-4-903 & 1-4-901, C.R.S.]

Only eligible electors in the district or political subdivision may sign the petition for which the candidate is to be elected. Each petition may be signed by any eligible elector who has not signed any other petition for any other candidate for the same office. [Sections 1-4-802(1)(c) & 1-4-904(1), 2(b), C.R.S.]

The petition must contain the lesser of one thousand (1,000) signatures or signatures equal to two percent (2%) of the votes cast for all candidates for that office in the most recent general election. [Section 1-4-802(1)(c)(II), C.R.S.]

In order to be eligible to circulate a petition, a person must be a resident of the state, a citizen of the United States, at least eighteen (18) years of age, and registered to vote and affiliated with the minor political party mentioned in the petition at the time the petition is circulated, as shown by the registration books of the county clerk and recorder. [Section 1-4-905(1), C.R.S.]

FILING WITH THE SECRETARY OF STATE:

Petitions must be filed with the Secretary of State no later than seventy-five (75) days before the primary election. [Section 1-4-802(1)(f)(II), C.R.S.]

Before a nomination petition may be filed, it must have a notarized candidate acceptance of nomination form attached to it. [Section 1-4-906, C.R.S.]

The candidate acceptance form must state the candidate's name the way it will appear on the ballot. Candidate names cannot contain any title or degree designating the business or profession of the candidate. [Sections 1-4-906 & 1-5-407(4), C.R.S.]

Petition signatures will be verified by the Secretary of State and if found to be sufficient in number will be deemed valid unless a protest is made in writing within five (5) days after the statement of sufficiency is issued. [Sections 1-4-908 & 1-4-909(1), C.R.S.]

CANDIDATE AUDIO RECORDING:

Candidates are required to submit an audio recording of the pronunciation of their name to the Secretary of State no later than seventy-five (75) days before the primary election. The audio recording must state the candidate's name exactly as it appears on the candidate acceptance form, as this is how the candidate's name will appear on the ballot. [SOS Election Rule 10.4.2]

Instructions on how to complete the candidate audio recording will be provided in the candidate packet and on the Secretary of State's website.

UNAFFILIATED CANDIDATE PETITION (GENERAL ELECTION ONLY)

ELIGIBILITY:

No person may be placed in nomination by petition unless the person is an eligible elector of the political subdivision or district in which the officer is to be elected. [Section 1-4-802(1)(g), C.R.S.]

A candidate must be registered as unaffiliated for at least twelve (12) months prior to the last date the petition may be filed, as shown by the registration books of the county clerk and recorder. [Section 1-4-802(1)(g), C.R.S.]

PETITION PROCESS:

The petition cannot be circulated nor signatures obtained any time prior to one hundred eighty-

six (186) days before the general election. [Section 1-4-802(1)(d)(I), C.R.S.]

All petition formats must be approved by the Secretary of State prior to circulation and may only contain one (1) candidate's name for the same office. Once submitted, the Secretary of State will approve or disapprove each petition format no later than two (2) days following the submission. [Sections 1-4-903 & 1-4-901, C.R.S.]

The petition must contain the name and address of the candidate and must designate in not more than three (3) words the political or other name which the signer selects. No name of any political party can be used, in whole or in part, for this purpose. [Section 1-4-802(1)(a), C.R.S.]

The petition must contain one (1) or more unaffiliated registered electors designated as a committee to fill vacancies. [Section 1-4-802(1)(e), C.R.S.]

Only eligible electors within the district or political subdivision may sign the petition for which the officer is to be elected. Each petition may be signed by any eligible elector who has not signed any other petition for any other candidate for the same office. [Sections 1-4-802(1)(c) & 1-4-904(1), 2(b), C.R.S.]

The petition must contain the lesser of one thousand (1,000) signatures or signatures equal to two percent (2%) of the votes cast for all candidates for that office in the most recent general election. [Section 1-4-802(1)(c)(II), C.R.S.]

In order to be eligible to circulate a petition, a person must be a resident of the state, a citizen of the United States, and at least eighteen (18) years of age. [Section 1-4-905(1), C.R.S.]

FILING WITH THE SECRETARY OF STATE:

Petitions must be filed with the Secretary of State no later than 3 p.m. on the one hundred fortieth (140th) day before the general election. [Section 1-4-802(1)(f)(I), C.R.S.]

Before a nomination petition may be filed, it must have a notarized candidate acceptance of nomination form attached to it. [Section 1-4-906, C.R.S.]

The candidate acceptance form must state the candidate's name the way it will appear on the ballot. Candidate names cannot contain any title or degree designating the business or profession of the candidate. [Sections 1-4-906 & 1-5-407(4), C.R.S.]

Petition signatures will be verified by the Secretary of State and if found to be sufficient in number will be deemed valid unless a protest is made in writing within five (5) days after the statement of sufficiency is issued. [Sections 1-4-908 & 1-4-909(1), C.R.S.]

CANDIDATE AUDIO RECORDING:

Candidates are required to submit an audio recording of the pronunciation of their name to the Secretary of State no later than one hundred-forty (140) days before the general election. The audio recording must state the candidate's name exactly as it appears on the candidate acceptance form, as this is how the candidate's name will appear on the ballot. [SOS Election Rule 10.4.2]

Instructions on how to complete the candidate audio recording will be provided in the candidate packet and on the Secretary of State's website.

WRITE-IN

Any person who wishes to be a write-in candidate must file an affidavit of intent with

the Secretary of State. The affidavit must be filed no later than the close of business on the sixty-seventh (67th) day before the primary election or by the close of business on the seventieth (70th) day before the general election. [Sections 1-4-1101(1) & 1-4-1102(1), C.R.S.]

GENERAL INFORMATION

Proof of registration and affiliation qualifications will be as shown on the voter registration books of the county clerk and recorder. [Section 1-4-501(1), C.R.S.]

Candidates are required to understand and comply with current requirements of the Colorado Campaign and Political Finance provisions, Article XXVIII of the Colorado Constitution and Title 1, Article 45 of the Colorado Revised Statutes.